

AMENDMENTS TO THE DRAWINGS:

The attached sheet for Figure 2 includes changes to item 185 to remove "Payment Coding" and to insert "Address Correcting".

Attachments: 1 Replacement Sheet for Figure 2

REMARKS

In the Office Action,¹ the Examiner rejected claims 25-36 under 35 U.S.C. § 101 as directed to non-statutory subject matter, rejected claims 25-36 under 35 U.S.C. § 112, first paragraph for lack of utility, and rejected claims 1-24 and 37-48 under 35 U.S.C. § 103 as unpatentable over U.S. Patent No. 5,422,821 to *Allen* in view of *Anchor Computer* (Anchorcomputer.com--reference not provided).

By this Response, Applicants have amended paragraph 057 of the specification, replaced Figure 2, and amended claims 1, 5, 7, 11-13, 17, 19, 23-37, 41, 43, 47, and 48.

Interview Summary

Applicants thank the Examiner, Man U. Phan, for communicating with Applicant's representative on November 1, 2007.

During the telephone call, Applicants' representative pointed out that:

- on Page 4 of the Office Action, the Examiner referenced the website www.Anchorcomputer.com as disclosing certain claim elements,
- on Page 5 of the Office Action, the Examiner cited to specific paragraphs and lines that do not correspond to any portion of the website address referenced,
- no copy of the referenced website was provided, and
- the Examiner did not establish a prior art date for the reference.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

In the November 1, 2007 telephone conversation, Applicants' representative requested a complete Office Action, including a complete copy of the non-patent literature cited, and an accurate citation to the reference that establishes the prior art date of the reference. The Examiner directed Applicants' representative to the website cited in the Office Action and stated that the cited material could be found there. The Examiner stated he had found the cited materials on the website, and indicated he would find the material and telephone to provide it to the Applicants' representative. However, the Examiner has not since telephoned to indicate that the referenced material would be provided.

Applicant's undersigned representative had previously telephoned Examiner Man U. Phan on October 25 and 29, 2007 to obtain a copy of the cited reference. However, the Examiner did not return the telephone messages. Applicant's representative also telephone SPE Wellington Chin on October 30 and 31, 2007 to request his assistance in obtaining a copy of the reference, but neither telephone message was returned. Oral requests for a complete Office Action pursuant to M.P.E.P. §§ 707.05 were made on October 31, 2007 and November 1, 2007, however no indication was given that a complete Office Action would be sent.

Specification

The specification has been amended to clarify "SHA," and to include disclosure from provisional application 60/412,030 pages 3, 4, 16 and 17, which was incorporated by reference in paragraph 1 of the original disclosure of the instant application. No new matter has been added.

Drawings

Figure 2, item 185, has been amended to remove "Payment Coding" and to insert "Address Correcting." One Replacement Sheet for Figure 2 is attached to this Response.

35 U.S.C. § 101 and 35 U.S.C. § 112

Claim 25, as amended, is drawn to a "[a] tangible computer-readable medium encoded with a set of instructions for providing corrected data, which, when executed by a computer, perform stages." Applicants note that "a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory." MPEP § 2106.01(I). Applicants also note that "computer programs embodied in a tangible medium, such as floppy diskettes, are patentable subject matter under 35 U.S.C. § 101 and must be examined under 35 U.S.C. §§ 102 and 103." In re Beauregard, 53 F.3d 1583 (Fed. Cir. 1995). Therefore, claims 25-36 fall squarely within the categories of patentable subject matter, and the rejection of claims 25-36, as asserted by the Examiner, is legally deficient and should be withdrawn.

35 U.S.C. § 103

Applicants respectfully traverse the rejection of claims 1-24 and 37-48 under 35 U.S.C. § 103. No *prima facie* case of obviousness has been established.

To establish a *prima facie* case of obviousness, the Examiner must make findings with respect to all of the claim limitations and must make "some articulated reasoning with some rational underpinning to support the legal conclusion of

obviousness.” See M.P.E.P. §§ 2143.03 and 2141(III), 8th Ed., Rev. 6 (September 2007). A *prima facie* case of obviousness has not been established with respect to claims 1-24 and 37-48 because, among other things, *Allen* and *Anchor Computer* do not establish findings for each and every element of Applicants’ claims.

Amended claim 1 recites, *inter alia*, “in response to [an] indication, producing a first set of condensed versions . . . and comparing the first set of condensed versions to a proprietary database comprising a second set of condensed versions . . . ; verifying that at least one of the condensed versions of the first set matches at least one of the condensed versions of the second set; and providing, based on the verifying, a link associating the second data element with the first data element.” The Examiner alleges that *Allen* teaches “a plurality of address resolution processes.” Office Action, page 4. The Examiner interprets a “National Change of Address (NCOA) database as an address resolution process; the resolved address including a correct address record and an incorrect address record.” Office Action, page 5.

Even assuming these allegations are true, which Applicants do not concede, *Allen* is deficient with respect to a *prima facie* case of obviousness for several claim elements, as the Examiner acknowledged when he stated that “Allen does not explicitly teach receiving a first unresolved address and determining if the first unresolved address matches the incorrect address record of the resolved address.” Office Action, page 5. *Allen* is additionally deficient with respect to the claimed process of “in response to [an] indication, producing a first set of condensed versions . . . and comparing the first set of condensed versions to a proprietary database comprising a second set of condensed versions . . . ; verifying that at least one of the condensed

versions of the first set matches at least one of the condensed versions of the second set; and providing, based on the verifying, a link associating the second data element with the first data element.”

The Examiner relies upon *Anchor Computer* to cure the deficiencies of *Allen*. However, the Examiner has not provided a copy of the *Anchor Computer* reference, nor has the Examiner established the prior art date for any teachings of the reference in accordance with MPEP § 2128. Therefore, Applicants have not been given an opportunity to respond fully to the Examiner’s allegations with respect to the reference in accordance with M.P.E.P. §§ 707.05 and 706. Even if *Anchor Computer* teaches the features cited by the Examiner, the Examiner has not established findings with respect to the claimed process of “in response to [an] indication, producing a first set of condensed versions . . . and comparing the first set of condensed versions to a proprietary database comprising a second set of condensed versions . . . ; verifying that at least one of the condensed versions of the first set matches at least one of the condensed versions of the second set; and providing, based on the verifying, a link associating the second data element with the first data element.”

Therefore, the Examiner has not made findings with respect to all of the claim limitations and has not made “some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness” with respect to all of the claim limitations. A *prima facie* case of obviousness has not been made with respect to amended claim 1, and the rejection under 35 U.S.C. § 103 should be withdrawn.

Claims 13, 25, and 37, though of different scope from claim 1, recite elements similar to those set forth above for claim 1. Claims 13, 25, and 37 are therefore

allowable for at least the reasons presented above with respect to claim 1. Claims 2-12, 14-24, 26-36 and 38-48 respectively depend from claims 1, 13, 25, and 37 and are allowable at least for the reason of their dependency. Applicants respectfully request that the Examiner withdraw the rejections under 35 U.S.C. § 103.

Since Applicants have not been given a full opportunity to respond to the Examiner's rejection, Applicants request that the next Office Action be NON-FINAL.


In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: October 7, 2007

By: 
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Attachments: Replacement Sheet for Figure 2